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ANDERSON KILL OLICK P. C.

NO. 9119 P. 1

ANDERSON KILL & OLICK, P.C.

Attorneys and Counsellors at Law

1251 AVENUE OF THE AMERICAS ■ NEW YORK, NY 10020

TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733

www.andersonkill.com

Eugene Lieberstein
(212) 278-1307
elieberstein@andersonkill.com

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TO: Examiner SNEDDEN
United States Patent Office
FAX NO.: 1-571-273-0959

FROM: Eugene Lieberstein, Esq.

DATE: August 16, 2004
TIME: 11:43 AM

C/M: 10474/AAK01

MESSAGE: **U.S. SN: 09/910,208 – HITOMI, et al – Filed: July 20, 2001**

Examiner Snedden:

Further to your telephone call of today, Monday August 16, 2004, in relation to the above-identified application, please find attached a copy of our response to the Restriction Requirement as well as a copy of our return receipt postcard and a copy of the facsimile we sent your earlier.

If you have any further questions on this matter, please contact Eugene Lieberstein at telephone number 212-278-1307.

Thank you.

Maggie McGarry

ANDERSON KILL & OLICK, P.C.

Attorneys and Counsellors at Law

1251 AVENUE OF THE AMERICAS ■ NEW YORK, NY 10020

TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733

www.andersonkill.com

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TO: Examiner SNEDDEN
United States Patent Office
FAX NO.: 1-703-746-3975

FROM: Maggie McGarry
On Behalf Of Eugene Lieberstein, ESQ. *Phone 571 272 0959*

DATE: December 4, 2003 **C/M:** 10474/AAK01

MESSAGE: Re: U.S. SN 09/910,208 - HITOMI, et al - Filed: July 20, 2001

PLEASE GIVE THIS FAX TO EXAMINER SNEDDEN

Examiner Snedden:

Further to your telephone conversation of today with Eugene Lieberstein regarding the above-identified application, please find attached another copy of the response to the Restriction Requirement dated April 18, 2003 which was filed in the Patent Office on May 21, 2003 with a one-month extension of time. Also attached is a copy of our return receipt postcard stamped by the Patent Office as received on May 23, 2003.

If you have any questions, please call Mr. Lieberstein at 212-278-1307.

Thank you for your assistance in the matter.

Maggie McGarry

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ANDERSON KILL OLICK P. C.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

HITOMI, et al

GROUP: 1653

SERIAL NO.: 09/910,208

EXAMINER: MAYES, Laurie A

FILED: JULY 20, 2001

FOR: NOVEL CALCIUM-BINDING PROTEINS

RESPONSE

Assistant Commissioner of Patents
& Trademarks
Washington, DC 20231


S I R:

This is in response to the Office Communication dated April 18, 2003.
Please charge any requisite fees to Deposit Account 01-1944.

In response to the Restriction Requirement under 35 USC 121 applicant
does not wish to change the election of Group II, now Group III inclusive of claims 18 -
24 drawn to an antibody and an assay method using an antibody.

Applicant further acknowledges that original Group I has been subdivided into Groups I and II. Accordingly, applicant reserves the right to file a divisional application directed to Group I and/or Group II inclusive of claims 1 – 17.

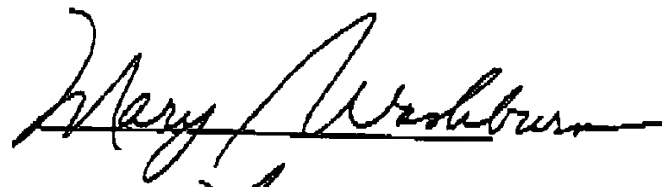
Respectfully submitted,


Eugene Lieberstein
Reg. No. 24,643

ANDERSON, KILL & OLICK
1251 Avenue of the Americas
New York, New York 10020-1182
(212) 278-1000

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner of Patents & Trademarks, Washington, DC 20231 on May 21, 2003.


Date: May 21, 2003

Hon. Commissioner for Patents & Trademarks:
Date stamp as acknowledgement of receipt of:

Response w/mail cert. paragraph
Authorization to charge fees to Deposit Acct.

Applicant: HITOMI, et al -
SN: 09/910,208 - Filed: July 20, 2001
For: NOVEL CALCIUM-BINDING PROTEINS
Due: May 18, 2003
Our Docket No: MM4454
MAILED: May 21, 2003

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